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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN LOERA,

Defendant.

CASE NO. 1:22-CR-00112-ADA-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: December 13, 2023

TIME: 1:00 p.m.

COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on December 13, 2023.
2. By this stipulation, the parties now move to vacate and continue the status conference date for a change of plea until January 22, 2024.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The parties anticipate filing a plea agreement in the coming weeks. For that reason, the parties agree that a continuance until January 22, 2024, is warranted for a change of plea. Prior to filing this stipulation, the parties conferred with the courtroom deputy for the assigned district court judge, who indicated this date is available for a change of plea.
 - b) The parties stipulate that the period of time until January 22, 2024, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv) because it

1 results from a continuance granted by the Court at defendants' request on the basis of the Court's
2 finding that the ends of justice served by taking such action outweigh the best interest of the
3 public and the defendant in a speedy trial.

4 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
5 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
6 must commence.

7 IT IS SO STIPULATED.

8
9 Dated: December 7, 2023

PHILLIP A. TALBERT
United States Attorney

10
11 /s/ STEPHANIE M. STOKMAN
STEPHANIE M. STOKMAN
Assistant United States Attorney

12
13 Dated: December 7, 2023

/s/ ROBERT LAMANUZZI

14 ROBERTO LAMANUZZI
Counsel for Defendant
15 KEVIN LOERA

16 **ORDER**

17 IT IS SO ORDERED that the status conference set for December 13, 2023, is vacated. A change
18 of plea hearing is set for **January 22, 2024, at 8:30 a.m. in Courtroom 5 before the District Court**
19 **Judge**. Time is excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

20
21 IT IS SO ORDERED.

22
23 Dated: **December 7, 2023**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE